

Thank You Sir.

Monty McQuarrie

~~FEB 18 2020~~

AT 8:30 _____ M
WILLIAM T. WALSH
CLERK

Linda Solanik
LINDA SOLANIK
 NOTARY PUBLIC OF NEW JERSEY
 My Commission Expires 12/20/2024

#46305
Monty P. Milbourne

Cumberland County Jail

54 WEST BROAD ST.

Bridgeton, N.J. 08302

DEFENDANT CERTIFICATION IN SUPPORT
OF MOTION TO RE OPEN PRE TRIAL DETENTION

STATE OF NEW JERSEY
PLAINTIFF
V.

SUPERIOR COURT OF NEW JERSEY
CUMBERLAND VINCINAGE
CRIMINAL DIVISION

Monty P. Milbourne
DEFENDANT

Indictment NO: 18-12-01117

Judge Zigler / Judge Martins

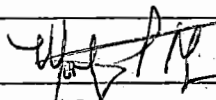
CASE NO: 17002534

I, Monty P. Milbourne, am the Defendant of the Above matter; ON NOVEMBER 16, 2017, Defendant was Detained Under Order of this Court Under CASE NO: 17002534; THE COURT ORDER CITES THE PUBLIC SAFETY ASSESSMENT (PSA) AS PRIMA FACIE EVIDENCE IN FAVOR OF DETENTION IN SUPPORT OF ITS DECISION TO DETAIN DEFENDANT; THE INDICTMENT NO: WAS NOT FILED ON JANUARY 31, 2018, UNDER THEN NO: 18-01-00099 IN THE CUMBERLAND COUNTY SUPERIOR COURT WHICH ULTIMATELY WAS NOT INDICTED AGAINST DEFENDANT, INWHERE DEFENDANT SHOULD HAVE THEN BEEN RELEASED, HOWEVER, DEFENDANT WAS HELD BY PROSECUTOR OF THE STATE, APPEARING TO HAVE, ON DECEMBER 19, 2018, SUPERSEDED THE INDICTMENT NO: 18-01-00099 WITH 3 COUNTS INTO INDICTMENT NO: 18-12-01117, UNDER SAME CASE NO: 17002534; THE CASE NO: 17002534 HAD ALREADY PRIOR NOT BEEN FILED UNDER IND. NO: 18-01-00099 JANUARY 31, 2018, AND THEREFORE, UNDER CJRA January 1, 2017, RAIL REFORM ACT, SPEEDY TRIAL ACT, AS AN "ELIGIBLE" DEFENDANT PURSUANT N.J.R 3:25-4, 3:25-3, AND § 2A:162-22 (A) 2(B), STATUTE OF LIMITATIONS TO CHARGE DEFENDANT UNDER CASE NO: 17002534 WAS VOID WITHOUT LEGAL FORCE; IT ALSO SHOWED THAT THE 3 NEW COUNTS WHICH WERE IN NAME, POSSESSION OF CDS, 2C:35-10(1), HINDERING, 2C:29-3(4), TAMPERING, 2C:28-6 (a)

WERE NOT UNDER CASE NO: 17002534. FROM THE NOVEMBER 4, 2017, ARREST OF THE DEFENDANT FOR THE COMPLAINT - WARRANT NO: 0609 W 2017 000158; IT ULTIMATELY SHOWS THAT THERE WAS NO INDICTMENT WHICH CHARGED THE DEFENDANT WITH 4 CHARGES (COUNTS) UNDER 18-12-01117 OR CASE NO: 17002534; THE DEFENDANT, MONTY P. MILBOURN, THEREFORE, BELIEVES THAT HIS CONTINUED DETENTION IS UNCONSTITUTIONAL AND IMPROPER ALSO PURSUANT THE NEW JERSEY SUPREME COURT'S DECISION IN STATE V. MERCEDES AND STATE V. HASSAN TRAVIS; IN THE COURTS CONDUCT TO HOLD THE DEFENDANT DETAINED TO NOT BEING RELEASED FOR 2 YEARS 3 MONTHS UNDER CASE NO: 17002534, MIGHT NOT HAVE SOLELY BEEN UPON THE PSA RECOMMENDATION AGAINST DEFENDANT'S RELEASE, BUT PREJUDICE TO RELEASE FOR UNFAIR REASONS. THESE FACTS ARE THE NEW CIRCUMSTANTIAL EVIDENCE OF THIS CASE FOR DEFENDANT'S RELEASE FROM DETAINMENT.

FOR THESE REASONS AND OTHER GOOD CAUSE, I, THE DEFENDANT, MONTY P. MILBOURN, MOVES THIS HONORABLE COURT TO RE-OPEN ITS DETENTION ORDER OF NOVEMBER 16, 2017

Respectfully Submitted,


MONTY P. MILBOURN
DEFENDANT

FEBRUARY 3, 2020

STATE OF NEW JERSEY

SUPERIOR COURT OF NEW JERSEY
CUMBERLAND COUNTY
LAW DIVISION- CRIMINAL

VS.

Monty P. Milbourne
(DEFENDANT)

NOTICE OF MOTION
PRO SE

TO: PROSECUTOR
CUMBERLAND COUNTY
ABIGAIL HOLMES

PLEASE TAKE NOTICE that on the 7th day of FEBRUARY ~~2020~~ 2020

At ONE o'clock in the AFTERNOON noon, or as soon thereafter as may be heard,

The undersigned, Monty Milbourne shall move before the Superior Court of New
Jersey, Law Division, Criminal Part, Cumberland County Court House, Bridgeton, New

Jersey, for :

Waive my Constitutional Rights of the 6th Amendment
To Counsel, To Proceed Pro Se To Defend my Case Under
Due Process of Law According the Constitutional 14th Amendment
Effectively.

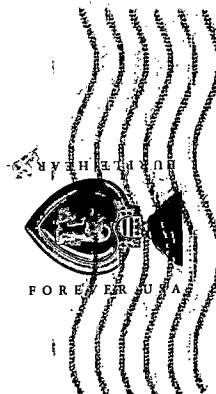
By: 

(Defendant)

Dated: JANUARY 13, 2020

Marty Wilkerson #46305
Cumberland County PA
54 West Broad St.
Bridgeport NJ 08302

SOUTH JERSEY NJ 080
13 FEB 2020 PM 5:1



United States District Court, Clerk

P.O. Box 2797

Andover, NJ 08101

RECEIVED

FEB 18 2020

AT 8:30
WILLIAM T. WALSH
CLERK

08101-279797

